

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

Doc. # 5327

ADOPTED 7/26/90

RESOLUTION

(SEE AD MEMO ATTACHED
TO Doc. # 5326)

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated July 26, 1990, relating to a portion of the SOUTH COVE URBAN RENEWAL AREA, MASS. R-92, be executed and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Clarence J. Jones
Michael F. Donlan
Francis X. O'Brien

James K. Flaherty
Consuelo Gonzales Thornell

A true copy

ATTEST:

Kang Srinivasan

Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8072, page 276, an Order of Taking, dated September 15, 1966, concerning and describing the SOUTH COVE URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including any trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of the said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: JULY 26, 1990

BOSTON REDEVELOPMENT AUTHORITY
By:

Clarence J. Jones
Thomas X. Bue

James R. F.
Conrad B. Edmull

ATTEST:

Karuz Samarian
Secretary of the Boston Redevelopment Authority

Approved as to form:

Ralph F. Cahill
Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcels of land are taken by this Order of Taking:

Those two certain parcels of land shown as Boston Redevelopment Authority Block and Parcel Numbers 49-13 and 53-8, containing approximately 7,008 and 2,886 square feet, respectively, and shown on a plan entitled, "Street Line Map, South Cove Project, Mass. R-92, Boston Redevelopment Authority, Boston, Suffolk County, Mass., by Henry F. Bryant & Son, Inc., Engineers, Plan No. 1-E of 5," recorded at Suffolk Registry of Deeds, in Book 8094, page 639.

Also that certain parcel of land shown as Boston Redevelopment Authority Block and Parcel Number 40-12, containing 13,414 square feet and shown on a plan entitled, "Plan of Land New England Medical Center, Boston, Mass.," dated July 31, 1990, prepared by Harry R. Feldman, Inc., Land Surveyors, 112 Shawmut Avenue, Boston, Mass. 02118, and recorded at Suffolk Registry of Deeds herewith. However, excluding from this taking the triangular area on the most northerly side on the parcel shown as Tunnel Portal, all as shown on said Plan.

The owner of the parcels hereby taken is the Massachusetts Bay Transportation Authority.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.

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